

United States District Court
Eastern District of California

UNITED STATES OF AMERICA

v.

BRIAN EVERETT MALONE

(Defendant's Name)

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

(For Offenses committed on or after November 1, 1987)

Criminal Number: **2:03CR00320-01**; 2:03CR0117-01 & 2:03CR0089-01.

Steve Bauer

Defendant's Attorney

THE DEFENDANT:

☒ admitted guilt to violation of charge(s) 3, 4 & 5 as alleged in the violation petition filed on October 11, 2005.
☐ was found in violation of condition(s) of supervision as to charge(s) after denial of guilt, as alleged in the violation petition filed on .

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violation(s):

| Violation Number | Nature of Violation | Date Violation Occurred |
|-------------------------|---|--------------------------------|
| 3 | Association with a Convicted Felon Without Permission | 8/25/05 |
| 4 | Failure to Participate in a Program of Drug & Alcohol Testing | 12/2 & 3/05 |
| 5 | Use of Controlled Substances - amphetamine & methamphetamine | 12/29/05 |

The court: ☒ revokes: ☐ modifies: ☐ continues under same conditions of supervision heretofore ordered on January 23, 2004; there shall be no further term of supervised release. All previously ordered financial obligations remain in full force and effect.

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☒ Charges 1 & 2 are dismissed.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

March 24, 2006

Date of Imposition of Sentence

/s/ Edward J. Garcia

Signature of Judicial Officer

EDWARD J. GARCIA, United States District Judge

Name & Title of Judicial Officer

March 30, 2006

Date

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 1 year & 1 day.

- ☒ The court makes the following recommendations to the Bureau of Prisons:
The Court recommends that the defendant be incarcerated in Atwater, California, but only insofar as this accords with security classification and space availability.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
☐ at ___ on ____.
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before _ on ____.
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Officer.
If no such institution has been designated, to the United States Marshal for this district.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

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SUPERVISED RELEASE

Upon completion of the term of imprisonment, there shall be no further period of supervised release.